At a regular meeting of the Cumberland County Board of Supervisors held at 7:00 p.m. on the $9^{\rm th}$ day of March 2004, at the Cumberland Courthouse:

Present: W.F. Osl, Jr., Chairman, District 1

Clifton C. White, District 2

Van Petty, District 3 Elbert Womack, District 4 Jeremiah Heaton, District 5

Darvin E. Satterwhite, County Attorney Judy O. Hollifield, County Administrator

Sherry Swinson, Assistant County Administrator

Sandy Sullivan, Deputy Clerk

The regular Board of Supervisors meeting was called to order by the Chairman at 7:00 p.m. The Deputy Clerk called the roll. Mr. Lytlon Crenshaw gave the invocation and Mr. Osl led in the pledge of allegiance.

Mr. Osl welcomed Mr. Womack back.

1. Approval of Agenda

On a motion by Mr. Womack and carried, the agenda was amended as noted.

- 1) Add under Departments/Agencies:
 b)Jack Ingle Patriot Day budget
 - d) Travis Gilliam, Youth League request that the Board issue a RFP for installing lights at Madison ballfield
- 2) Add to County Administrator's Report
 - i) Appropriation of \$27,000 to School Fund for "Learn to Serve Grant"
 - j) Consider issuing RFP for 911 markers
- 3) Add under Closed Session VA Code Sec. 2.2-3711 (A-7), probable litigation; and (A-7) discussion of contract amendments re: water project
- 4) Additional Information
 Business License Annual Report for 2003

Vote: Mr. Osl - aye

Mr. White - aye

Mr. Petty - aye

Mr. Womack - aye

Mr. Heaton - aye

2. Resolution of Appreciation - Mrs. Sallie B. Jenkins

On a motion by Mr. Petty and carried, the Board adopted the following resolution:

WHEREAS, Mrs. Sallie B. Jenkins was the first female bus driver in Cumberland County and transported children to and from school for over 20 years, and she was also the first cafeteria manager at Luther P. Jackson Elementary School, and

WHEREAS, Mrs. Jenkins earned the admiration and respect of her friends and colleagues during her many years of dedicated service, and

WHEREAS, Mrs. Jenkins was born on April 6, 1913, and will celebrate her $91^{\rm st}$ birthday on April 17, 2004,

NOW, THEREFORE, BE IT RESOLVED, that the Cumberland County Board of Supervisors expresses its appreciation to Mrs. Sallie B. Jenkins for her dedicated service and contributions to Cumberland County Schools, and

BE IT FURTHER RESOLVED that the Board of Supervisors extends to Mrs. Jenkins its best wishes for many more years of happiness during her retirement.

Adopted the 9^{th} day of March 2004.

Vote: Mr. Osl - aye Mr. White - aye Mr. Petty - aye Mr. Womack - aye Mr. Heaton - aye

3. VDoT

Keith Halborn, VDoT, appeared before the Board to hear any concerns regarding secondary roads and to ask the Board to consider adopting a resolution to discontinue a portion of Route 45 South identified on sketch entitled "Changes in the Primary System to relocation and construction on Route 45.

RESOLUTION

WHEREAS, the Virginia Department of Transportation has provided this Board with a sketch dated May 25, 1993, depicting the required changes in the Primary System of State Highways, which sketch entitled "Changes in the Primary System Due to Relocation and Construction of Route 45, Project: 0045-024-105,M501" which sketch is hereby incorporated herein by reference; and

WHEREAS, those portions identified as to be discontinued no longer serve public convenience warranting maintenance at public expense and are no longer necessary for the uses of the State Highway System; and

BE IT FURTHER RESOLVED, that this Board concurs with the Virginia Department of Transportation's intent to discontinue from the Primary System of State Highways the portion of Route 45 identified on the aforementioned sketch, pursuant to §33.1-144 of the Code of Virginia, as amended: and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

Vote: Mr. Osl - aye Mr. White - aye Mr. Petty - aye Mr. Womack - aye

Mr. Heaton - aye

Board members inquired about various road conditions including Raines Tavern Road, with the request of a sign being placed warning drivers that the road will be changing to gravel in addition to the rough road sign already present. There was one other request for a hidden driveway sign to be placed on Ampthill Road.

4. Public Hearings

a) School Budget

Rescheduled for April 13th 2004.

5. Departments/Agencies

a) Southern Cumberland Community Center - Bill Bailey re: Policy for building use

Bill Bailey gave a background on the Southern Cumberland Community Center along with a draft usage policy for the County owned building.

Mr. Womack stated that the proposed rules were drawn up by the Southern Cumberland Emergency Services Committee. The Committee used policies from the Cartersville Rescue Squad and the Town of Farmville as a guide and the County Attorney assisted the Committee with the policy draft.

The Board of Supervisors addressed several items in the draft policy including usage of alcohol in a County owned building, and the use of the building by Civic Organizations being limited to two meetings per year at no charge.

The Board of Supervisors agreed to allow the Committee to amend the policy as needed, asking that the Committee be sensitive to the issues addressed by the Board of Supervisors.

Mr. Womack agreed to serve on the Committee and bring updates back to the Board of Supervisors.

On a motion by Mr. Petty and carried, the Board voted to have the Committee report back to the Board of Supervisors in six months for a update on the effectiveness of the policy for use of the Community Center.

Vote: Mr. Osl - aye Mr. White - aye Mr. Petty - aye Mr. Womack - aye

Mr. Heaton - aye

b) Jack Ingle - Patriot Day Committee - update

Mr. Ingle updated the Board of Supervisors on the status of Patriot's Day and asked for an appropriation from the County in the amount of \$2,464.75 to help pay for equipment for the children's events to be held. Any funds that are left over this year will be used for next year's festival.

On a motion by Mr. Heaton and carried, the Board appropriated an additional \$2,464.75 to the Patriot's Day Committee.

Vote: Mr. Osl - aye
Mr. Petty - aye
Mr. Heaton - aye

c) Joe Sposa - Fire Marshall - Adoption of County Emergency Operations Plan

Mr. Sposa presented Supervisors with the County's emergency operations plan. This plan is to insure that in a time of national disaster or manmade disaster that the local government continues to function and to insure that the citizen's needs are met.

On a motion by Mr. White and carried, the Board adopted the County Emergency Operations Plan as presented. Plan is on file in the Fire Marshall's Office.

Vote: Mr. Osl - aye
Mr. Petty - aye
Mr. Heaton - aye

d) Travis Gilliam, Youth League - request that the Board issue a RFP for installing lights at the Madison ballfield

Mr. Gilliam, President of the Cumberland Youth League requested that the Board of Supervisors issue a request for proposal on behalf of the Cumberland Youth League for lighting improvements for the Madison ballfield. In addition, Mr. Gilliam requested that the Board of Supervisors allocate \$30,000 to the Cumberland Youth League for the improvements in addition to the \$15,000 already allocated.

Mr. White stated that the Cumberland Youth League received funding four years ago under the County's Capital Improvement Plan to purchase the lights. The lights have never been erected. The County could not afford to install the lights and the Cumberland Youth League decided to try to recruit volunteers for this project however, the lights still remain uninstalled. The Cumberland Youth League has \$15,000 in this year's budget appropriated to work on the lighting project at the Madison ballfield.

Mr. Heaton recommended that the Board use funding that would have financed the now-defunct County Office on Youth to fund the Cumberland Youth League lighting project. The funds are currently totaled between \$28,000 and \$30,000.

Mr. Osl suggested that accounts be checked for the available funding and to look into any grants that may be available to assist in this project.

On a motion by Mr. Womack and carried, the Board approved the transfer of funds from the Office on Youth to the Cumberland Youth League and agreed to submit a RFP for the lighting project.

Vote: Mr. Osl - aye Mr. White - aye Mr. Petty - aye Mr. Womack - aye

Mr. Heaton - aye

6. County Administrator's Report

a) Consent Agenda

The County Administrator explained each item in the consent agenda and the following actions were taken:

On a motion by Mr. White and carried, the Board approved the following consent agenda items:

- 1. Approved the minutes for February 10, 2004.
- 2. Approved bills for March 2004 totaling \$197,558.47 and ratified bills for February 2004 of warrants totaling \$171,573.19 with check numbers ranging from 41324 to 41462. Direct Deposit totaling \$36,224.95
- 3. Authorized twice per month payroll.

The County Administrator stated that pay days will be the $15^{\rm th}$ and the $30^{\rm th}$ of each month. However, if either falls on a holiday or weekend, payday would be the last working day prior to the holiday or weekend.

Vote: Mr. Osl - aye
Mr. Petty - aye
Mr. Heaton - aye

b) Authorize RFP for comprehensive five year financial forecast

The County Administrator stated that she has spoken with the Treasurer and he has proposed to put together a financial forecast with the help of his staff as long as overtime pay is permitted by the Board of Supervisors.

On a motion by Mr. White and carried, the Board agreed to table the issuance of the RFP to allow the Treasurer and his staff time to put together the financial forecast.

Vote: Mr. Osl - aye
Mr. Petty - aye
Mr. Heaton - aye

Mr. White - aye
Mr. Womack - aye

c) Authorize RFP for Reassessment

The County Administrator stated that the Commissioner of the Revenue has requested that authorization for RFP be considered earlier to avoid requesting an extension and allowing more time to consider the proposals. The Commissioner of the Revenue, the County Administrator and the County Attorney will review the RFP to insure that all information is included.

On a motion by Mr. Womack and carried, the Board authorized a RFP to be issued for reassessment of County real estate.

Vote: Mr. Osl - aye
Mr. Petty - aye
Mr. Heaton - aye

d) Authorize RFP for health insurance

The County Administrator stated that the County had hoped to partner with the school, however, they are in the middle of a contract with Trigon and will not be going out to bid this year. Due to providers dropping out of the network with our existing health care carriers, it is requested that a RFP be issued to open the window for more options. Once the RFP's are received, it is requested that the Chairman serve on the evaluation committee.

On a motion by Mr. White and carried, the Board authorized issuance of a RFP for health insurance for the County and agreed to have the Chairman serve on the evaluation committee.

Vote: Mr. Osl - aye Mr. White - aye Mr. Petty - aye Mr. Womack - aye Mr. Heaton - aye

e) Consider change to transfer station hours of operation

Scott Toepfer, Maintenance Director, submitted different options of operations for the Transfer Stations.

On a motion by Mr. Petty and carried, the Board agreed to extend Sunday hours from 1:00 p.m. to 5:00 p.m. at all three transfer stations for a three month trial period beginning April 1st.

Vote: Mr. Osl - aye
Mr. Petty - aye
Mr. Heaton - aye

Mr. White - aye
Mr. Womack - aye

A survey will be conducted thru the three month trial period from citizens utilizing the three transfer stations.

On a motion by Mr. Heaton and carried, the Board voted to have all three transfer stations open at 7:00 a.m. and close at 6:00 p.m. Wednesday, Thursday and Friday of each week for a three month trial period.

Vote: Mr. Osl - aye Mr. White - aye Mr. Petty - nay Mr. Womack - nay Mr. Heaton - aye

f) Adoption of Board of Supervisors by-laws

On a motion by Mr. Petty and carried, the Board adopted the Board of Supervisors by-laws with the noted changes

discussed. (A copy of the by-laws is attached to the Offical Board minutes.)

Vote: Mr. Osl - aye Mr. White - aye Mr. Petty - aye Mr. Womack - aye

Mr. Heaton - aye

g) Consider Smoke-Free Work Place Ordinance

The County Administrator stated that she had received policies from other localities and a policy has been drafted for the County. Vehicles driven by employees such as the Building Official, Animal Warden, Sheriff and Deputies that have exclusive use of a County vehicle may be excluded from the policy and all other County vehicles would fall under the smoke-free policy.

Mr. Osl asked the County Administrator to meet with Constitutional Officers to ask them to enforce this policy in their offices.

On a motion by Mr. Heaton and carried, the Board approved the following policy to enhance a smoke free work place in County offices:

Cumberland County Smoke-Free Policy

The County of Cumberland is committed to providing a safe, comfortable and healthy environment for employees, citizens and other users of County facilities.

In keeping with this commitment, all County facilities will be free of tobacco products, including private offices. Tobacco products include but are not limited to cigarettes, cigars, chewing tobacco and snuff. Use of tobacco products is not permitted in County owned vehicles except for those vehicles used by no more than one employee.

Use of tobacco products will be permitted outside only, and is discouraged at or near main entrances to County buildings where the public normally enters and exits.

It is the responsibility of the department head to assure that this policy is implemented in their department.

Vote: Mr. Osl - aye Mr. White - aye Mr. Petty - aye Mr. Womack - aye Mr. Heaton - aye

h) Appropriation of \$27,000 to School Fund for "Learn to Serve Grant"

The County Administrator stated that Mike Willis, School Superintendent requested that the Board of Supervisors appropriate \$27,000 to the School Fund for the "Learn to Serve Grant" for the current school year. This does not involve any local funds.

On a motion by Mr. White and carried, the Board appropriated \$27,000 to the School Fund for the "Learn to Serve Grant".

i) Consider issuing RFP for 911 markers

It was the consensus of the Board to have staff obtain an estimate to determine the cost of implementing County wide E-911 reflective address markers.

7. Assistant County Administrator's Report

Ms. Swinson discussed with the Board of Supervisors the 2004 Comprehensive Economic Development Strategy including updates and asked them to adopt the following resolution. She also presented an update on the Rails to Trails program.

On a motion by Mr. Womack and carried, the Board adopted the following resolution:

RESOLUTION

WHEREAS, the County of Cumberland is desirous of maintaining its status as a designated Economic Development Center under Economic Development Administration (EDA) guidelines;

WHEREAS, the County has elected to be covered by the 2004 Comprehensive Economic Development Strategy (CEDS) as prepared by the Piedmont Planning District Commission.

NOW, THEREFORE, BE IT RESOLVED, that the Cumberland County Board of Supervisors endorses the above described program and accepts its coverage for assistance in improving the economy of the County.

Vote: Mr. Osl - aye

Mr. White - aye

Mr. Petty - aye

Mr. Womack - aye

Mr. Heaton - aye

8. County Attorney's Report

The County Attorney stated that he had one matter to be discussed under closed session.

9. Board Members

Mr. Osl

Mr. Osl reminded Board members that Farm Bureau will be holding a District Leadership Conference on March 11, 2004 for Planning Commissioners and Supervisors.

Mr. White

Mr. White stated that his deployment orders for Afghanistan have been cancelled and informed the citizens of various meetings that he has attended since the last meeting.

Mr. Petty

Mr. Petty reported on meeting with his constituents and that the meeting went very well. The next meeting will be

March 17, 2004 in the Old Clerk's office from 4:00 p.m. to 6:00 p.m. He will be attending a meeting in Buckingham on March 18, 2004 to look at new voting machines which will be a requirement by the year 2006.

Mr. Womack

Mr. Womack thanked the Chairman for keeping him informed during his absence and is very glad to be back and thanked everyone for their cards and prayers while he was out.

Mr. Heaton

 $\mbox{Mr.}$ Heaton stated that he was glad to have $\mbox{Mr.}$ Womack and $\mbox{Mr.}$ White back.

10. Public Comments

There were no speakers.

11. Closed Meeting

The County Attorney explained the items to be discussed in closed session.

On a motion by Mr. Womack and carried, the Board entered into closed meeting under VA Code Section 2.2-3711 A(7) probable litigation; and discussion of contract amendments re: water project; contract re: Courthouse wall repair

The Board returned to regular session on a motion by Mr. Osl.

A motion was made by Mr. White and adopted by the following vote:

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Vote: Mr.Osl - aye
Mr. Petty - aye
Mr. Heaton - aye

Mr. Womack - aye
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that the following Certification of a Closed Meeting be adopted in accordance with The Virginia Freedom of Information Act:

WHEREAS, the Board of Supervisors of Cumberland County has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by this Board that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Cumberland County hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Board of Supervisors of Cumberland County.

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Vote: Mr. Osl - aye
Mr. Petty - aye
Mr. Heaton - aye
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On a motion by Mr. Petty and carried, the Board agreed to reject the bids that have been received for the Courthouse repair and issue a new RFP expanding the scope of work.

Vote: Mr. Osl - aye
Mr. Petty - aye
Mr. Heaton - aye

12. Additional Information

N/A

13. Adjourn

The Chairman ordered the meeting adjourned until Monday, March 22nd, 2004, at 4:00 p.m. in the Old Clerk's Office.

County Administrator